

EPA Announces Intent to Bolster Limits on Water Pollution from Power Plants

WASHINGTON (July 26, 2021) – Today, the U.S. Environmental Protection Agency (EPA) announced that it is initiating a rulemaking process to strengthen wastewater guidelines for coal power plants that use steam to generate electricity. While the agency develops a more protective rule, regulations established by the 2015 Steam Electric Effluent Limitation Guidelines (ELGs) and the 2020 Steam Electric Reconsideration Rule will be implemented and enforced to ensure near-term public health and environmental protections.

“Every decision that EPA makes is grounded in the latest science and technical expertise to protect our natural resources and public health,” **said EPA Administrator Michael S. Regan.** “The agency is charting a path to protect water resources now, while moving to strengthen water quality protections to further reduce pollution from power plants that can contain toxic metals such as mercury, arsenic, and selenium.”

EPA undertook a science-based review of the 2020 Steam Electric Reconsideration Rule under Executive Order (E.O.) 13990, finding that there are opportunities to strengthen clean water protections. For example, treatment systems using membranes continue to rapidly advance as an effective option for treating a wide variety of industrial pollution, including from steam electric power plants. EPA expects this technology to continue advancing and the agency will evaluate its availability as part of the new rulemaking.

EPA’s review under E.O. 13990 also found that much of the 2015 Steam Electric ELG rule remains in place and that compliance with the 2015 and 2020 rules are expected to provide significant water quality improvements relative to requirements promulgated in 1982 that are currently in effect. The 2015 and 2020 rules are leading to better control of water pollution from power plants while reducing the cost of controls (e.g., biological treatment systems and membrane treatment systems).

The agency has decided to implement the 2015 and 2020 rules while simultaneously conducting rulemaking to strengthen the Steam Electric ELGs (40 CFR Part 423) under the Clean Water Act. The agency intends to issue a proposed rule for public comment in the fall of 2022.

Commented [HM1]: Clarify what is currently in effect

To learn more about Steam Electric ELGs, visit: [[HYPERLINK "https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines"](https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines)].

Background

Steam electric plants use fossil fuels (such as coal, oil, and natural gas) or nuclear reactions to heat water in boilers, which generates steam. The steam is used to drive turbines connected to electric generators. The plants generate wastewater in the form of chemical pollutants and thermal pollution (heated water) from their water treatment, power cycle, ash handling and air

pollution control systems, as well as from coal piles, yard and floor drainage, and other miscellaneous wastes.

Communications Plan/Rollout

Revisions to 2020 Steam Electric Reconsideration Rule

Purpose

EPA is announcing it will initiate a rulemaking process to strengthen water pollution guidelines for power plants that use steam to generate electricity. EPA has decided to implement the 2020 Steam Electric Reconsideration Rule and simultaneously conduct a rulemaking to potentially strengthen the Steam Electric Effluent Limitation Guidelines (ELGs).

Audiences/Stakeholders

Groups interested in EPA's review of the 2020 Steam Electric Reconsideration Rule and announcement to initiate a rulemaking process to strengthen the Steam Electric ELGs. These include environmental petitioners, electric utility and drinking water utility trade associations, state NPDES permitting authorities, and community/equity groups.

Messengers/Spokespeople

Radhika Fox, OW AA

Radha Adhar, AO OCIR

Casey Katims, AO OCIR

Deborah Nagle, Director, OST

Mike Scozzafava, Acting Director, Engineering and Analysis Division (EAD)

Richard Benware, Team Leader for Steam ELG, EAD

Timeline

Date	Time	Activity	Champion/Notifier
7/21	5:00	DOJ notification to plaintiffs	DOJ
7/23	12:00	Email embargoed heads up to RAs Email embargoed heads up to WDDs	Radhika Fox Deborah Nagle
7/26	10:00	Sign FRN	Radhika Fox (TBC)
7/26	11:00	Press Interview(s)	Nick Conger
7/26	By 12:00	Day of ADVANCED CALLS Enviros – NRDC, EDF, etc. ECOS Congressional – Authorizing and committees of jurisdiction	Radhika Fox Casey Katims Radha Adhar
7/26	12:30	Post pre-publication FRN and make updated Steam Electric ELG webpages live	Ahmar Siddiqui, OST
	1:00	Issue Press Release	OPA Press Office
	1:30	Social Media	OW Comms
	1:30	Email notifications to interested Hill members/staff; intergovernmental orgs	Dennis Borum, OCIR Jack Bowles, OCIR

	1:30	Email External Stakeholder Notifications - SEE APPENDIX	Mike Scozzafava or Deborah Nagle, OST
7/26	After 2:00	Submit motion for abeyance to the court	DOJ

Social Media

Today, EPA announced that it is initiating a rulemaking process to strengthen wastewater guidelines for power plants that use steam to generate electricity. [link to press release or link to [HYPERLINK "https://www.epa.gov/eg/steam-electric-power-generating-effluent-guidelines"]]

Q&As for Press Office Use

PLACEHOLDER

1. Why is EPA implementing the Trump Administration Rule?
2. What actions does EPA see the power sector implementing to reduce wastewater pollution?
3. What will the air quality and climate impacts of EPA's revised rule be?
4. When will EPA issue a proposed and final rule to revise the steam electric ELGs?

APPENDIX

Stakeholder notifications will be emailed to:

Contact	Phone	Email	Organization	Notifier
<u>Electric Utility Trade Associations</u>				
Kristy Bulleit	(202) 955- 1547	[HYPERLINK "mailto:kbulleit@hunton.com" \t "_blank"]	Utility Water Act Group (UWAG)	
Rich Bozek	(202) 508- 5641	[HYPERLINK "mailto:rbozek@eei.org" \t "_blank"]	Edison Electric Institute (EEI)	
Carolyn Slaughter	(202) 467- 2943	[HYPERLINK "mailto:cslaughter@publicpower.org" \t "_blank"]	American Public Power Association (APPA)	
Dorothy Kellogg	(703) 907- 5715	[HYPERLINK "mailto:dorothy.kellogg@nreca.coop"]	National Rural Electric Cooperative Association (NRECA)	
			Electric Power Research Institute (EPRI)	
<u>Drinking Water Utility Trade Associations</u>				
Adam Carpenter	(202) 326- 6126	[HYPERLINK "mailto:acarpenter@awwa.org"]	American Water Works Association (AWWA)	
G. Tracy Mehan, III	(202) 326- 6125	[HYPERLINK "mailto:tmehan@awwa.org" \t "_blank"]	American Water Works Association (AWWA)	

[HYPERLINK "mailto:cternieden@wef.org"\h]	(703)684-2416	cternieden@wef.org	Water Environmen t Federation (WEF)	
Cynthia Finley	(202)533-1836	cfinley@nacwa.org	National Association of Clean Water Agencies (NACWA)	
<u>State Permitting Authorities</u>				
Sean Rolland	(202)465-7179	[HYPERLINK "mailto:scrolland@acwa-us.org" \t "_blank"]	Association of Clean Water Administrat ors (ACWA)	
Julia Anastasio	(202)756-0600	[HYPERLINK "mailto:janastasio@acwa-us.org" \t "_blank"]	Association of Clean Water Administrat ors (ACWA)	
Alan Roberson		[HYPERLINK "mailto:aroberson@asdwa.org"]	Association of State Drinking Water Agencies (ASDWA)	
<u>Community Groups</u>			*petitioners	
Amy Adams		[HYPERLINK "mailto:Amy@appvoices.org"\h]	Appalachian Voices*	
Rev. Gregory Hairston		[HYPERLINK "mailto:ghairiston@gmail.com" \h]	Stokes County NAACP* president	
Steven Pulliam		[HYPERLINK "mailto:steven@danriverkeeper.org"]	Good Stewards of Rockingham *	
Robyn Jackson		[HYPERLINK "mailto:robyn.jackson@dine-care.org"\h]	Diné C.A.R.E.	

Dulce Ortiz		[HYPERLINK "mailto:dlc.ortiz@gmail.com" \h]	Clean Water Lake County	
Electric Utilities <ul style="list-style-type: none"> • Duke • AEP • Southern • FirstEnergy • NIPSCO • Santee Cooper • GenOn • TVA • DTE 				Richard Benwar e, OST
Vendors				